IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 1524 of 2005**

Between:

Maddirala Poli Reddy @ Polaiah, S/o Rosi Reddy, Hindu,
r/o Urmilanagar, Bhavanipuram, Vijayawada, Krishna District.

**..... PETITIONER**

AND

1 The Government of Andhra Pradesh, rep. by the Commissioner & Inspector

General of Registration & Stamps, Hyderabad, A.P.
2 The District Collector, Krishna District, Machilipatnam.
3 The District Registrar, Vijayawada,Krishna District, A.P.
4 The Joint Sub Registrar-I, R.O. (O.B), Gandhinagar, Vijayawada,
Krishna District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction particularly one in the nature of Writ of Mandamus declaring the action of the District Registrar, Vijayawada, Krishna District in issuing the impugned letter No. E1/252/2004 dated 17-4-2004 intimating that 10 times penalty under sec. 10 (1) (b) of Indian Stamps Act, 1899 is payable, is contrary to the law, void, without notice and against the principles of natural justice and liable to be set aside.

**Counsel for the Petitioner: MR.G.V.L.N.MURTHY**

**Counsel for the Respondents: GP FOR REVENUE**

**The Court at the admission stage made the following :**

**O R D E R:**

This writ petition is filed seeking to declare the order of the third respondent dated 17-04-2004 in imposing ten times penalty under Section 10 (1) (b) of the Indian Stamps Act, 1899 as arbitrary and illegal.

Admittedly the petitioner has already availed the alternative remedy available under the statute by filing an appeal on 09-12-2004 and the same is pending before the first respondent. In the circumstances, I am not inclined to express any opinion with regard to the contentions raised by the petitioner assailing the correctness of the impugned order dated 17-04-2004.

The writ petition is accordingly disposed of directing the first respondent to consider the interim application for suspension filed by the petitioner in his appeal preferred against the order dated 17-04-2004 and to pass appropriate orders, in accordance with law within a period of two weeks from the date of receipt of a copy of this order. No costs.

**( G. ROHINI, J)**

Date:03-02-2005

ghn

To

1 The Commissioner & Inspector, General of Registration &

Stamps,Government of Andhra Pradesh, Hyderabad, A.P.
2 The District Collector, Krishna District, Machilipatnam.
3 The District Registrar, Vijayawada,Krishna District, A.P.
4 The Joint Sub Registrar-I, R.O. (O.B), Gandhinagar, Vijayawada, Krishna District.

5 Two C.Cs to the G.P. for Revenue, High Court of A.P., Hyderabad.(O.U.T.)

6 Two C.D copies.